

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>JOSEPH A. ELLIOTT, SR.,</b>	:	<b>CIVIL ACTION NO. 1:04-CV-1101</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT DONALD</b>	:	
<b>VAUGHN, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 27th day of April, 2007, upon consideration of plaintiff's motions for civil suspension (Docs. 191, 192), in which plaintiff seeks a stay of this matter because of his limited access to his legal materials, and it appearing that, despite his contentions to the contrary, the corrections officer responsible for supervising and administering security and custodial activities within the RHU at the State Correctional Institution at Greene has afforded plaintiff access to his legal materials in accordance with DC-ADM 801<sup>1</sup> by giving plaintiff "the opportunity to peruse his property, pick those legal materials he wishes to retain in his cell, and . . . provid[ing] weekly access to his property to exchange legal materials," and has been allowed to possess a total of four boxes of legal material in his cell, but refuses

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<sup>1</sup>"[I]nmates assigned to Disciplinary Custody status, are permitted to have one records center box in their cell at any one time. In addition, they may exchange legal property at least once a month from their additional property held in storage. More frequent exchanges may be requested based on a demonstrated need due to 'active litigation.'" (Doc. 201, Declaration of Corrections Officer David L. Graineney, p. 4, ¶ 3)

to cooperate with the staff (Doc. 201, Declaration of Corrections Officer David L. Graineny, pp. 3-4, ¶¶ 2-3), it is hereby ORDERED that:

1. Plaintiff's motions (Doc. 191, 192) are DENIED.
2. Plaintiff is afforded until May 25, 2007, to respond to defendants' motion for summary judgment (Doc. 178)<sup>2</sup> in accordance with Local Rules of Court. See L.R. 56.1.
3. Failure to comply with this order will result in the motion being deemed unopposed. See L.R. 7.6; see also Stackhouse v. Mazurkiewicz, 951 F.2d 29 (3d Cir. 1991).

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge

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<sup>2</sup>Defendants' motion and supporting documents were filed in December 2006. (Docs. 178-180, 182-184).